

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Jatinder Singh,)	C/A No. 4:11-1684-TLW-KDW
Plaintiff,)	
)	
vs.)	
)	
Daimler AG, Daimler Financial Services,)	REPORT AND RECOMMENDATION
AG, and Mercedes Benz Financial)	
Services, USA, LLC, f/k/a DCF USA,)	
LLC,)	
)	
)	
Defendants.)	

This matter is before the court on Defendants’ pending motions.¹ On September 23, 2011, Defendant Mercedes-Benz Financial Services, USA, LLC, f/k/a DCF USA, LLC (“MBFS”) filed a Motion to Dismiss for Improper Venue or, Alternatively, Motion to Transfer Venue. ECF No. 23. On November 16, 2011, Defendants Daimler AG (“Daimler”) and Daimler Financial Services AG (“DFS”) filed their Motion for Dismissal, For Summary Judgment, or, in the Alternative, for Transfer Due to Improper Venue. ECF No. 47.

In their motions, all Defendants argue that the District of South Carolina is not a proper venue for this action. ECF Nos. 23 ¶ 1, 47 ¶¶ 14-17. Although they seek to have the action dismissed, Defendants also recognize venue would be proper in the United States District Court for the Eastern District of Michigan, pursuant to 28 U.S.C. § 1404(a) and § 1406(a). ECF Nos. 23 ¶ 2, 47 ¶ 17. On December 12, 2011, Plaintiff Jatinder Singh (“Singh”) opposed Defendants’ motions. ECF No. 51.

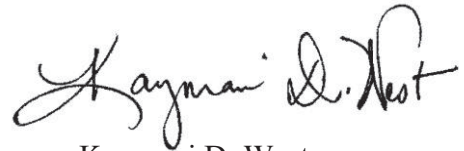
¹ All pretrial proceedings in this case were referred to the undersigned pursuant to the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 73.02(B)(2)(g), D.S.C. This report and recommendation is entered for the district judge’s consideration.

On March 19, 2012, counsel for Plaintiff requested that the case, together with all outstanding motions, be transferred to the United States District Court, Eastern District of Michigan. ECF No. 57. Plaintiff's counsel copied counsel for all parties on that letter. *Id.*

With Plaintiff's request, all parties have indicated venue would be proper in the Eastern District of Michigan. Accordingly, it is recommended that this entire case, including its pending motions, be transferred from the District of South Carolina to the Eastern District of Michigan. *See* 28 U.S.C. § 1404(a) (providing "a district court may transfer any civil action to any other district or division where it might have been brought or to any district or division to which all parties have consented.").

IT IS SO RECOMMENDED.

March 27, 2012
Florence, South Carolina

A handwritten signature in black ink, reading "Kaymani D. West". The signature is fluid and cursive, with the first name "Kaymani" being more prominent than the last name "West".

Kaymani D. West
United States Magistrate Judge

**The parties are directed to note the important information in the attached
"Notice of Right to File Objections to Report and Recommendation."**